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LICENSED IN WISCONSIN AND COLORADO

AGENDA LETTER FOR DISCOVERY TELECONFERENCE

October 28, 2005

BY ELECTRONIC FILING

The Honorable Gregory M. Sleet
U.S. District Court
District of Delaware
844 N. King Street
Lockbox 19
Wilmington, DE 19801

**Re: Smith, et al v. City of Wilmington, et al.
Civil Action No. 04 – 1254- GMS**

Dear Judge Sleet:

In anticipation of the discovery teleconference scheduled for **November 1, 2005, at 2:00 P.M.**, in the above-captioned matter, the parties jointly agree the issue they request the Court address is:

Issue:

- The scope of the subpoenas defendants issued to non-parties, including educational institutions, health care providers, and former employers of decedent Harry Smith, III.

Respectfully,

/s/Attorney Anne T. Sulton
Plaintiffs' Counsel, Pro Hac Vice

/s/Attorney Kester I.H. Crosse
Local Counsel

cc: Clerk of the Court

Attorney John Parkins via e-mail to parkins@RLF.com